

ORDINANCE NUMBER 121

AN ORDINANCE ESTABLISHING REGULATIONS OF COMMERCIAL SERVICES AT THE CLINTON MUNICIPAL AIRPORT.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS:

License Required.

No commercial aeronautical service, or aeronautically associated service, operation or activity shall be offered or performed at the Clinton Municipal Airport without a fixed base operator's license for such service, operation or activity having first been approved and issued by the airport commission of the City of Clinton, Arkansas. Aeronautical activity of scheduled airlines and municipal, state and federal agencies shall be exempt from this provision.

Grant of Exclusive Rights Prohibited.

No license for exclusive right to provide commercial aeronautical service, operation or activity at the Clinton Municipal Airport shall be issued.

Fixed Base Operator's License.

A fixed base operator's license shall be issued subject to the condition that such licensee shall comply with all conditions hereinafter imposed. The fee for each fixed base operator's license will be according to the following schedule:

- (a) Aircraft sales: \$10.00 per year
- (b) Airframe and/or power plant repair: \$10.00 per year
- (c) Aircraft Rental: \$10.00 per year
- (d) Flight training and instruction: \$10.00 per year
- (e) Aircraft fuels and oil service: \$10.00 per year and a separate contract with the city.

- (f) Radio, instrument or propeller repair service: \$10.00 per year
- (g) Air taxi service: \$10.00 per year
- (h) Aerial applications: \$10.00 per year
- (i) Specialized **commercial flight** services: \$10.00 per year
- (j) Any **combination thereof, or total not to exceed \$10.00 per year**

Each operator shall renew his license prior to January first of each calendar year, and such fees shall be in addition to Clinton Municipal Airport property rental, landing and any other fees which may be fixed by agreement with the Clinton Municipal Airport Commission. Any operator(s) failing to renew his license prior to the above date shall suspend operations from the Clinton Municipal Airport until such time as he shall have obtained a new license.

Licenses Subject to Laws and Regulations.

Each licensee and his officers, agents and employees shall carry on their activities and operations at the Clinton Municipal Airport in compliance with federal laws and Federal Aviation Administration regulations, state statutes, rules and regulations governing the use of the airport, and all applicable city ordinances. Each licensee shall be responsible for the action of his officers, agents and employees.

Lease Agreements.

Licenses for aeronautical activity at the Clinton Municipal Airport providing ground space and structures for such activities shall enter into lease agreements with the City of Clinton, Arkansas, through the Clinton Municipal Airport Commission for the rental of such space. Each lease agreement with the city for the lease of airport property under which aeronautical services are provided to the public shall incorporate the following language:

- (1) Lessee agrees that in furnishing any aeronautical services to the public it will:
 - (a) Furnish said services on a fair, equal and not unjustly discriminatory basis to all users thereof, and
 - (b) Charge fair, reasonable and not unjustly discriminatory prices for each unit or service; provided, that the lessee may make reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions to volume purchasers.
- (2) Lessee further agrees that in its operation and the operation of all facilities on the leased premises, neither it nor any person or organization occupying space or facilities thereon will discriminate against any person or class of persons by reason of race, color, creed or national origin, and lessor reserves the right to take whatever action the Federal Aviation Administration directs to enforce this covenant.

Construction.

All buildings and structures constructed within the Clinton Municipal Airport shall be constructed in compliance with the ordinances pertaining to such construction within the city limits of said municipality.

Procedure for Construction Plan Approval.

Licensees for commercial aeronautical activity at the Clinton Municipal Airport shall follow the following procedure for approval of construction plans:

- (a) **Submission.** The licensee shall submit to the municipal airport commission an application for preliminary approval of plans and specifications for any proposed building or structure to occupy space obtained through the commission and three (3) copies of the plans and specifications of any proposed building or structure to the city clerk at least fifteen (15) days prior to a meeting of the municipal airport commission at which consideration is requested. The municipal airport commission will in writing advise the licensee as promptly as possible of the extent to which the proposed building or structure conforms to the requirements of the Clinton Airport Master Plan, the Clinton Planning Commission, and other city, county, state and federal agencies that may be associated with the development of the airport,

and will discuss possible modification if necessary to secure conformance; provided, further, that all prospective airport tenants and licensees shall submit to the Federal Aviation Administration prior to commencement of any construction a "Notice of Proposed Construction or Alteration: on FAA Form 7460-1 as required by Part 77 of the Federal Aviation Regulations.

- (b) **Airport Commission Action.** Within ninety (90) days after acceptance for review of the preliminary plans and specifications by the airport commission, it shall indicate in writing its approval, disapproval or approval with condition. Failure of the airport commission to act on the preliminary plans and specifications within ninety (90) days of its acceptance will be deemed approval of the plans and specifications. Approval, approval with conditions or disapproval of the preliminary plans and specifications by the airport commission shall be noted, both upon the preliminary plans and the airport commission records.

Privileges, Uses, Rights and Interests.

In addition to the privileges, uses, rights and interests granted to a licensee under the terms of a license or lease agreement, the following particular privileges, uses, rights and interests are granted to the licensee, to wit:

- (a) The loading and unloading of aircraft in areas and locations designated in the license or lease agreement.
- (b) The nonexclusive use of said public airport facilities and navigational aids and facilities relating thereto for the purpose of commercial or noncommercial landings, takeoffs and taxiing of aircraft.
- (c) The right of ingress to and egress from the lease premises without charge therefor, except the consideration set out herein or provided by agreement.
- (d) The nonexclusive use of common use areas.

Fixed Base Operator's Services.

A fixed base operator's services may include aerobatics, agricultural chemical services, aircraft, airframe and engine maintenance, flight training including instrument and instructor schools,

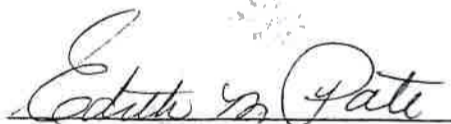
charter and taxi service, aircraft rental and sales services, and **ground** to air communication services (UNICOM) facilities made available through droplines to all fixed base operators. Any fixed base operator undertaking any of **these activities** shall conform to license or lease requirements **for each such activity** and shall undertake no activities **not specifically approved** in the license or lease agreement.

APPROVED this 11 day of JUNE 1981 ,

CITY OF CLINTON


MAYOR

ATTEST:


CITY CLERK

C E R T I F I C A T E

The undersigned **City Recorder of the City of Clinton, Arkansas** hereby certifies that the foregoing pages are a true and correct **Copy of Ordinance No. 121**, adopted at a regular session of the **City Council of the City of Clinton, Arkansas** held at the regular meeting place of the City Council in the City Hall at **7:00 PM o'clock** on the 11th day of June, 1981 and that the Ordinance is of record in Ordinance Record Book 2 Pages 174 now in my possession.

GIVEN under my hand and seal this 11th day of June, 1981.

SEAL


CITY RECORDER